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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/541,873

07/11/2005

Satoru Yoshimitsu

050425

7896

23850

7590

05/25/2007

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP
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WASHINGTON, DC 20006

EXAMINER

LEE, CHEUNG

ART UNIT

PAPER NUMBER

2812

MAIL DATE

DELIVERY MODE

05/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/541,873

Applicant(s)

YOSHIMITSU ET AL.

Examiner

Cheung Lee

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7-11-05.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 20070519.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. Applicants' Preliminary Amendment filed on July 11, 2005 has been entered and made of record.
2. Applicants clarified claim limitations of independent claim 1 through an interview with Mr. James Armstrong, IV (Reg. No. 42266) on May 15, 2007. Examiner interprets the claim limitations as shown in the rejection below.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on July 11, 2005 was filed before the first action on the merits. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and are rejected under 35 U.S.C. 102(b) as being anticipated by Nitta et al. (JP 2002-324733; hereinafter "Nitta").

5. Referring to figures 1-2 and related text, Nitta discloses [Re claim 1] a production method for a solid electrolytic capacitor (paragraph 22) which includes a capacitor element 10 including an anode 1 coated with a dielectric oxide film 9 (paragraph 22), and an electrically conductive polymer layer provided therein (paragraph 22), the method comprising the steps of: mixing at least one member selected from a metal salt of an alkoxybenzenesulfonic acid and a metal salt of an alkylsulfonic acid as an oxidizing agent (paragraph 26), with an electrically conductive polymer (paragraph 26) in a solvent (paragraph 26); and immersing the capacitor element in the resulting mixture solution (paragraph 26), and forming the electrically conductive polymer layer in the capacitor element by thermal polymerization (paragraph 26).

6. Nitta discloses [Re claim 2] wherein a metal for the metal salt is a transition metal selected from the group consisting of iron (III) (paragraph 26), copper, chromium, cerium, manganese and zinc.

Allowable Subject Matter

7. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: claim 3 recites the oxidizing agent is a mixture of at least one metal alkoxybenzenesulfonate and at least one metal alkylsulfonate. These features in

combination with the other elements of the rejected base claim are neither disclosed nor suggested by the prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheung Lee whose telephone number is 571-272-5977. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lebentritt can be reached on 571-272-1873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/541,873

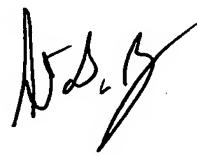
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Cheung Lee

May 19, 2007

SCOTT B. GEYER
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "S.B. Geyer", with a stylized flourish at the end.

May 21, 2007